

## **Appendix 4.4.5-A**

### **NHPA Section 106 SHPO Consultation**

## Meeting Minutes

Thursday, March 28, 2013

All Aboard Florida – SHPO Meeting

Location: RA Gray Building - 500 South Bronough Street, Tallahassee, FL 32399

### Attendees:

Ginny Jones (FHDR/SHPO)

Alex Gonzalez (FECl)

Dan McClarnon (FDHR/SHPO)

Jose Gonzalez (FECl)

Tim Parsons (FHDR/SHPO)

Melvin Brown (HNTB)

Ken Hardin (Janus)

Charlene Stroehlen (AMEC)

Amy Streelman (Janus)

Dan Baker (Transystems)

1. **Introductions:** Jose G. provided the introductions and purpose of the meeting.
2. **Overview of Project and Status:** Jose G. provided an overview of the project including the two major corridors (East-West and North-South); project purpose, provide passenger rail service between Miami and Orlando, discussed document type, an EIS, and the lead agency, FRA, and the schedule (12 months).
3. **Area of Potential Effect:** Ken H. led the discussion regarding the Area of Potential Effect (APE) for the North-South corridor. SHPO agreed the same approach used for the Miami to West Palm Beach EA/FONSI should be used for the North-South corridor. SHPO also agreed the archeology/historic building survey for the East-West corridor can be based on existing data and previous studies. Exceptions would be if potential critical areas are identified. Approach to these areas, if identified, would be discussed with SHPO to determine appropriate action. North-South APE will include resources directly adjacent to the rail corridor and within the rail corridor. Reconnaissance survey work will be conducted for the North-South corridor. East-West APE will be based on previous cultural resources work as well as the alternative with the worst case scenario in terms of possible effects.

Overview of FEC System: Amy provided an overview of the existing rail system (North-South corridor). Most of the bridges to be replaced are simple structures made of metal, wood and concrete. The infrastructure of the historic bridges has degraded over time and Florida East Coast Railroad has been maintaining the bridges over the years. None of the older bridges are anticipated to have the original infrastructure. The historic nature is based on the rail system and the original footprint from the rail Right of Way, not the specific materials used in the original bridges. Discussion did cover the dynamic nature of the railroad and associated bridges, and how the evolution over time is necessary in order for it to remain a viable transportation corridor.

4. **Historic Bridges:** Open discussion regarding the three eligible historic bridges. The three bridges identified to date include the Oleta and the North and South Forks of the Middle River. These three bridges do not require Coast Guard Permits. The replacement of the bridges are required due to the safety and speed required for the proposed passenger rail system. The cross

sections of the new bridges were discussed and photos of the existing bridges were reviewed. Hand rails are required for safety of passenger disembarking from a train in the case of emergency and maintenance. Some bridges require replacement of the deck structure. There may be a slight gradual increase in rail height, 6 to 12 inches, in the bridge structure when going from a timber to a concrete deck. Examples of historic bridges installed in the early 1960's have a similar concrete deck structure.

Specific bridge discussions included Eau Gallie, built in 1925; AAF proposes to replace the bridge deck. The bridge over the St Lucie is to remain a single track; the train will be required to slow to 20 miles per hour over this structure. There is a movable bridge over the Lockahatchee. We will be adding the historic 2<sup>nd</sup> track back to the bridge. There is a Bascule Bridge across the Sebastian which requires electrical rehabilitation.

SHPO indicated they will not object to the replacement of the three bridges (Oleta and the North and South Forks of the Middle River), although they indicated they would further discuss this with their Architectural group. The architects at FHDR/SHPO will guide the team, not provide final review, in terms of appropriate suggestions for the bridge replacements/repairs so they are in keeping with the Secretary of the Interiors Standards.

North South Corridor: One archeological site of interest along the North-South corridor is at Hobe Sound National Wildlife Refuge, Mile Posts 274-275. There is a proposed curve reduction, which will stay within the existing maintained right of way and there will be double track added. The double track is to be placed in its historical location. SHPO indicated that they did not have issues with the activities proposed in this area.

5. **Consultation with Affected Parties:** Section 106 Consultation will be required. Consultation with the Tribal Historic Preservation Officer (THPO) will be required with the Seminole and the Miccosukee Indian Tribes of Florida. SHPO is willing to assist FRA with the Tribal consultation process. It is recommended that meetings, suggested at their offices, be scheduled soon to involve the tribes early in the process. SHPO felt that the upcoming public meetings where Ken H. would be present to speak about Section 106 would be acceptable as well. Due to past consultation meetings in the affected communities (i.e. West Palm Beach, Fort Lauderdale, Miami), additional separate meetings are unnecessary.
6. **Schedule:** Construction of the project is expected to begin in 2014.
7. **Open Forum:** Based on the discussions regarding the resources and proposed plans, SHPO felt a Conditional No Adverse Effect finding was possible. SHPO will work with AAF and Janus to develop design plans that minimize the impacts to historic nature of the project.
8. **Conclusion/Next Steps:** Conference call with FRA regarding the APE/Methodology.



**Meeting  
Notes**

Attendees: Mary Hassell, FRA  
Colleen Vaughn FRA  
Margie Miguez, AAF  
John Flint, AAF  
Ginny Jones, SHPO  
Tim Parsons, SHPO  
Daniel Mclamon, SHPO  
Melvin Brown, HNTB  
Angelique Bochnak, AMEC  
Martin Marchaterre, AMEC  
Ken Hardin, Janus  
Amy Streelman, Janus  
Lisa Standley, VHB  
Chris Rife, VHB  
Lucy Wayne, SouthArc  
Martin Dickinson, SouthArc

Date/ Time: 8 July 2013

Project No.: 61827

Place: Telecom

Re: AAF-FRA-SHPO Coordination

Notes taken by: Chris Rife

---

Following introductions, M. Hassell stated that FRA has decided not to use the “substitution approach” for streamlining the NEPA and NHPA Section 106 consultation process.

K. Hardin summarized the March 28, 2013 SHPO/ AAF meeting; minutes from that meeting were circulated by M. Miguez after the telecom. K. Hardin acknowledged the SHPO’s assistance and cooperation in expeditiously moving this project through the Section 106 process.

L. Standley stated that only one tribe, the Seminole Tribe of Florida, has responded to an invitation to be a consulting party, and they declined but want to be kept informed about the project.

C. Vaughn inquired if other parties were identified as potential consulting parties. K. Hardin responded that SHPO had recommended, for this project, that the scoping process be used to identify interested parties. For the prior EA, county and local historic preservation staff were invited, however this project will not involve new station locations that would extend into historic districts. He reported that during the scoping meetings no historic preservation staff or others indicated their interest in becoming consulting parties.

C. Vaughn inquired if the Hobe Sound National Wildlife Refuge had been contacted, as there is a known archaeological site within and adjacent to the Railroad ROW. K. Hardin responded that the Refuge had not been contacted but that AAF would reach out to the Refuge management. FWS was contacted during scoping project and has not yet responded. M. Hassell noted that National Park

Service had been contacted during the scoping process and provided comments, but did not request to be a consulting party.

K. Hardin and A. Strelman summarized the methodology used for determining the APE and conducting the reconnaissance work. The APE for the North-South Corridor duplicates the APE used for the EA in the West Palm Beach to Miami segment, as previously approved. The APE was the Railroad ROW, and the reconnaissance area extended 150 feet from the edge of the railroad ROW. For the East-West Corridor, the archaeological APE will consist of the proposed footprint of the limits of disturbance. The historic resources survey work will rely on previous investigations and conduct new work where construction is proposed outside of areas previously studied for an area up to 150 feet from the edge of proposed ROW. Although this was not specifically discussed during the conference call, for purposes of clarity, the APE for the Airport Rail Alignment and vehicle maintenance facility (VMF) is summarized here as well. The APE for the Airport Rail Alignment will include the limits of the site and 150 feet from the edge of the site limits. The APE for the VMF will include the site limits only.

J. Flint noted that the staging areas would be within the North-South Corridor Railroad ROW for construction, but along the East-West Corridor they would all be within the Project ROW; no additional study is required for these staging areas.

K. Hardin and A. Strelman summarized the study findings. The only historic properties within the Railroad ROW APE are bridges along the North-South Corridor, with the exception of historic platform supports that were identified within the ROW. The reconnaissance survey noted that individual resources and historic districts near the alignment were not as dense in the northern portion as in the southern portion.

K. Hardin summarized the archaeological sites. A known archaeological site at the National Wildlife Refuge, a scattering of shells and lithics in a dune, would have been impacted by a curve design in the original configuration. A redesign of the curve has avoided impacts to this site. SHPO has agreed that there would be no adverse impact to this site as proposed construction would not disturb the ground, and that appropriate avoidance measures have been taken. Field crews are currently investigating the East-West Corridor outside of the SR528 right-of-way; one site within the Orlando Airport was previously identified and determined ineligible for the National Register.

K. Hardin summarized potential effects to cultural resources. Thirteen bridges that may contribute to the FEC Railway as a linear historic district, that includes four individually NR-eligible bridges were described. SHPO has agreed that with consultation on design this would not result in adverse effects. Because of the nature of the project improvements, no known archaeological sites would be disturbed. The noise and vibration study underway will assess the potential for adverse effects to adjacent historic districts.

K. Hardin summarized consultation and public involvement. AAF will reach out to the NWR. Local preservation groups were previously contacted and did not express any concerns. Historic and archaeological sites will be avoided, and concurrence from SHPO on a conditional "no adverse effect" determination is expected, as was done for the EA.

C. Vaughn requested assurance from SHPO regarding these conclusions. G. Jones stated that SHPO is comfortable that AAF has properly consulted with them and that, at this point, with the preliminary finding that there would be no adverse effects to cultural resources from the project. C. Vaughn requested written concurrence from SHPO regarding the APE and methodology. She stated that meeting minutes and email statements would be sufficient.

K. Hardin stated that the project is now in the documentation phase. Because the project is on a tight schedule, the team is looking for ways to streamline the review process. They are working to produce a Cultural Resources Assessment Survey Report that will identify historic resources within the APE, which will be submitted to SHPO for concurrence. The next step would be the Determination of Effects Case Study. He suggested that the results of this study (determination of

effects) would be provided in the DEIS, rather than seeking SHPO review and concurrence prior to the DEIS. The results normally memorialized in the Case Study will be included in the DEIS. The DEIS would include a cover letter to SHPO explaining this modification of the typical procedure. G. Jones agreed that this, as a project-specific approach, was acceptable. She indicated that SHPO could provide a single letter of concurrence with the DEIS and the Findings, and noted that the DEIS should include information about avoidance, minimization, and mitigation measures. K. Hardin noted that the approach would streamline the process to the extent practical, with an “opt out” provision if needed. All agreed.



U.S. Department  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

**Federal Railroad  
Administration**

OCT 31 2013

Ms. Ginny Jones  
Bureau of Historic Preservation  
Division of Historical Resources  
Florida Department of State  
500 South Bronough Street  
Tallahassee, FL 32399

RE: Cultural Resources Assessment Report (CRAR) of the All Aboard Florida (AAF)  
Passenger Rail Project (Project) from Orlando to West Palm Beach  
Orange, Brevard, Indian River, St. Lucie, Martin, and Palm Beach Counties

Dear Ms. Jones:

The Federal Railroad Administration (FRA) is completing an Environmental Impact Statement (EIS) for the above-referenced project to be undertaken by All Aboard Florida (AAF). AAF is pursuing funding for this Project through FRA's Railroad Rehabilitation & Improvement Financing (RRIF) Program. The Project proposes implementing a privately owned, operated, and maintained intercity passenger rail service that will connect downtown Miami, Florida to downtown West Palm Beach, Florida with one stop in downtown Fort Lauderdale, Florida with continuing service to Orlando, Florida. To accommodate this, the Project proposes improvements to existing rail line within the existing Florida East Coast (FEC) Railway Corridor Main Line right of way (ROW); addition of new or modified rail within the existing FEC Railway Corridor Main Line ROW; construction of new rail line along the SR 528 transportation corridor; construction of new passenger rail stations in Miami, Fort Lauderdale, West Palm Beach, and Orlando; upgrades to numerous bridges, highway crossings, and pedestrian crossings; addition of new track signal controls at key intersections; and construction of a new vehicle maintenance facility (VMF) near the Orlando station terminus.

The Cultural Resources Assessment Report (CRAR) project area extends from Orlando to West Palm Beach via Cocoa Beach. The following segments are part of the current documentation: the Airport Rail Alignment and Vehicle Maintenance Facility (VMF), the East-West Corridor from Cocoa to Orlando, and the North-South Corridor from West Palm Beach to Cocoa Beach. An East-West Corridor of approximately 40 miles from Cocoa to Orlando, Florida, generally parallel to the existing State Road 528 (SR 528 or Beachline Expressway), extends the service to the Orlando International Airport (MCO), where the new VMF will be constructed. An extension of the North-South Corridor includes approximately 128.5 miles of rail improvements between West Palm Beach and Cocoa, Florida, within an existing, active freight rail ROW. Figure 1 in the CRAR document illustrates the Project Location.

For the purposes of evaluation, AAF, in coordination with SHPO and FRA, developed appropriate Areas of Potential Effect (APE) for the necessary corridor improvements. Appendices D, E, and F within the CRAR document show the locations of the cultural resources identified within the APEs.

### **Airport Rail Alignment and VMF**

A review of previous surveys and an updated search of the Florida Master Site File (FMSF) data identified one previously recorded archaeological site within the archaeological resources APE established for the Airport Rail Alignment and VMF. South Terminal Northeast (8OR8277) is located within the Airport Rail Alignment in Orange County and is a low-density precolumbian lithic scatter consisting of two lithic waste flakes. The SHPO previously determined this site ineligible for listing in the National Register in 1998.

The previous surveys also included the entirety of the historic APE for the Airport Rail Alignment and VMF. An updated desktop survey resulted in the identification of no new historic resources located within the APE for the Airport Rail Alignment and VMF.

### **East-West Corridor**

No previously recorded or newly recorded archaeological sites were identified within the archaeological APE for the East-West Corridor as a result of the current survey. Access to a portion of the East-West Corridor located within one private landowner's property was not possible during the current survey. Once access is coordinated, a supplemental addendum report will be completed to document the results of pedestrian survey and subsurface testing within this portion of the East-West Corridor.

The historic resources survey for the AAF Railway East-West Corridor resulted in the identification of nine historic resources within the APE. Of the identified historic resources, six were previously recorded (8BR1735, 8BR1736, 8OR9851, 8BD1870, 8BD2697, and 8OR9850) and three are newly recorded (8BR3066, 8BR3067, and 8BR3068). All of the previously recorded historic resources, with the exception of the National Register-eligible Florida East Coast Railroad (8BR1870), were determined ineligible for inclusion in the National Register by the SHPO. The three newly recorded historic buildings identified within the project APE are considered ineligible for listing in the National Register either individually or as part of a district.

### **North-South FEC Railway Corridor**

Due to its ongoing use as an active freight line with frequent train traffic, subsurface archaeological testing was not feasible within the FEC ROW for reasons of safety.

Five previously recorded archaeological sites were identified within the archaeological APE for the North-South FEC Railway Corridor Main Line. One archaeological site (8IR846) was identified within the Indian River County segment of the APE; one site (8MT1287) was identified within the Martin County segment of the APE; and three previously recorded sites (8SL41, 8SL1136, and 8SL1772) were identified within the St. Lucie County segment of the APE. While none of these five previously recorded archaeological sites are National Register-listed, and none have been previously determined by the SHPO to be National Register-eligible, 8MT1287 and 8SL41 were evaluated by the initial FMSF recorder as potentially National Register-eligible. No previously recorded archaeological sites were identified within the Brevard or Palm Beach county segments of the North-South FEC Railway Corridor Archaeological APE.

Approximately 2.2 miles of the North-South FEC Railway Corridor Archaeological APE within Palm Beach County are located within the Coastal Zone and Loxahatchee River archaeological zones described in the *Prehistoric Resources in Palm Beach County: A Preliminary Predictive Study*.



The FEC Railway (8BR1870/8IR1497/8IR1518/8SL3014/8MT1391/8MT1450/8PB12102) was previously determined by SHPO to be eligible for listing in the National Register as a linear historic district.

Thirteen historic railway bridges were identified within the North-South FEC Railway Corridor Main Line ROW APE (8BR3058, 8BR3059, 8BR3060, 8BR3061, 8BR3062/8IR1569, 8SL3191, 8SL3192, 8MT1623, 8MT1382, 8MT1624, 8MT1625, 8MT1626, and 8PB16041). With the exception of 8SL3192, which is non-contributing, each identified bridge is considered a contributing resource within the National Register-eligible FEC Railway linear historic district. Four of these bridges (8BR3058, 8BR3062/8IR1569, 8MT1382, and 8PB16041) are also considered individually eligible for listing in the National Register.

A total of 60 significant historic resources were identified adjacent to the North-South FEC Railway Corridor Main Line ROW within the project limits during the Reconnaissance Survey. These resources include 12 in Brevard County, 12 in Indian River County, 23 in St. Lucie County, 10 in Martin County, and three in Palm Beach County.

Along the North-South FEC Railway Corridor Main Line, three at-grade crossings are located adjacent to one National Register-eligible historic district in Brevard County, Union Cypress Saw Mill Historic District (8BR2173); four at-grade crossings are located within a considered National Register-eligible historic district in St. Lucie County, Edgar Town Historic District (8SL2801); and two at-grade crossings are located within and adjacent to the considered National Register-eligible Kelsey City Layout (8PB13340) in Palm Beach County.

FRA has evaluated the Project and the report pursuant to the regulations adopted by the Advisory Council on Historic Preservation (36 CFR 800). FRA seeks the concurrence of your office with the findings pursuant to 36 CFR 800.5 (c)(1). Please respond within thirty days of your receipt of this letter. FRA may consider your lack of response as concurrence with the above finding, as provided in 36 CFR 800.5(c)(1).

In the event your office disagrees with this finding, please notify us via email, and overnight or private delivery service to ensure timely receipt of your communications.

If you have questions or wish to discuss this project further, please contact me at [Mary.hassell@dot.gov](mailto:Mary.hassell@dot.gov) or telephone: 202-493-1310.

Sincerely,



Mary D. Hassell, CEP  
Team Lead, Environment and Systems Planning Division

Enclosure

cc: Margarita Martinez Miguez, Florida East Coast Industries, Inc.  
Lisa Standley, VHB  
Angelique Bochnak, AMEC



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

Mary D. Hassell  
US Department of Transportation  
Federal Railroad Administration  
1200 New Jersey Avenue SE  
Washington, D.C. 20590

November 20, 2013

RE: DHR Project File No.: 2013-4404  
Received by DHR (electronically): November 13, 2013  
Project: *Cultural Resources Assessment Report: All Aboard Florida Passenger Rail  
Project from Orlando to West Palm Beach*  
Counties: Orange, Brevard, Indian River, St. Lucie, Martin and Palm Beach

Dear Ms. Hassell:

This office received and reviewed the above referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966 as amended, 36 CFR Part 800: Protection of Historic Properties, and Chapter 267, *Florida Statutes*. It is the responsibility of the State Historic Preservation Officer to advise and assist, as appropriate, Federal and State agencies in carrying out their historic preservation responsibilities; to cooperate with agencies to ensure that historic properties are taken into consideration at all levels of planning and development; and to consult with the appropriate agencies in accordance with the National Historic Preservation Act of 1966 as amended, on undertakings that may affect historic properties and the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties.

This proposed project involves the restoration of passenger rail service between Cocoa Beach to West Palm Beach utilizing the existing Florida East Coast Rail (FECR) right-of-way (ROW) and new rail service from Cocoa Beach to the Orlando International Airport. The Cultural Resources Assessment Report (CRAR) identified resources within 3 segments of the project: The Airport Rail Alignment and Vehicle Maintenance Facility (VMF), the East-West Corridor, and the North-South Corridor. This office concurs with the determinations of eligibility made by the Federal Railroad Administration (FRA) and documented in the CRAR.

This office notes that due to access issues a portion of the new rail line between Cocoa Beach and the Orlando International Airport was not surveyed for cultural resources. This office requests the opportunity to view and comment on the results of the survey for this area when access is granted.



**DIVISION OF HISTORICAL RESOURCES**  
R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
Telephone: 850.245.6300 • Facsimile: 850.245.6439 • [www.flheritage.com](http://www.flheritage.com)  
*Commemorating 500 years of Florida history* [www.fla500.com](http://www.fla500.com)



Mary D. Hassell  
DHR Project File Number: 2013-4404  
November 20, 2013  
Page 2

Per the agreement made during the meeting between FRA and this office in July 2013 this office will refrain from concurring on the finding of effects until the time when this office has the opportunity to review the Draft Environmental Impact Statement (DEIS).

This office looks forward to further consultation on this project. If you have any questions concerning these comments, please contact Ginny Jones by email at [ginny.jones@dos.myflorida.com](mailto:ginny.jones@dos.myflorida.com), or at 850.245.6333 or 800.847.7278.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert F. Bendus" with a stylized flourish at the end.

Robert F. Bendus, Director  
Division of Historical Resources  
and State Historic Preservation Officer



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, Florida 33406

October 10, 2014

RE: DHR Project File No.: 2014-4212 (x-ref: 2012-4778, 2012-4801)  
Received by DHR: September 17, 2014  
Application No.: 140917-4/Applicant: All Aboard Florida Operations, LLC  
Project: *All Aboard Florida: West Palm Beach Station*  
County: Palm Beach

To Whom It May Concern:

Our office reviewed the referenced project in accordance with Chapters 267 and 373, *Florida Statutes*, and implementing state regulations, for possible effects on historic properties listed, or eligible for listing, in the *National Register of Historic Places (NRHP)*, or otherwise of historical, architectural or archaeological value.

This proposed project involves the construction of a new train station and related infrastructure in West Palm Beach. This project is a component of a larger project that will restore passenger rail service between Miami and West Palm Beach utilizing the existing Florida East Coast Rail (FECR) right-of-way (ROW). The project area was surveyed and reviewed by the State Historic Preservation Officer (SHPO) in 2012 (DHR No. 2012-4778, 2012-4801). In 2012 the Federal Railroad Administration (FRA) made determinations of eligibility and a finding of effect for this train station (referred to as "West Palm Beach Station – Central Site") that included the identification of 18 resources eligible for listing, or already listed on the NRHP and 21 resources not eligible for listing on the NRHP. This office concurred with all determinations of eligibility made by the FRA except for the structures at 419 Gardenia Street (8PB602) and 207 South Dixie Highway (8PB9848). This office recommended there was insufficient information to concur on eligibility for these two structures. Should the project change, these resources may be re-evaluated for their significance.

FRA determined that with the successful implementation of certain conditions the proposed station location would have no adverse effect on historic properties listed, or eligible for listing, on the NRHP. This office concurred with the effects finding made by FRA. The conditions for the West Palm Beach train station consisted of further consultation with the City of West Palm Beach Historic Preservation Planner and this office. Further, should the station location change this office should be provided an



Division of Historical Resources  
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6300 • 850.245.6436 (Fax) [fheritage.com](http://fheritage.com)  
Promoting Florida's History and Culture [VivaFlorida.org](http://VivaFlorida.org)



[www.fheritage.com](http://www.fheritage.com)

South Florida Water Management District

DHR Project File Number: 2014-4212

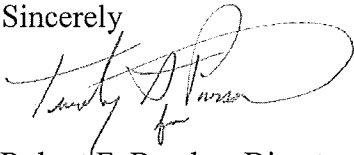
October 10, 2014

Page 2

opportunity to comment on the design changes and their impact to historic resources. Per the review of this project in 2012, All Aboard Florida Operations, LLC should continue consultation with the City of West Palm Beach and this office as this project progresses.

If you have any questions, please contact Ginny Jones, Architectural Historian, by email [gabby.jones@dos.myflorida.com](mailto:gabby.jones@dos.myflorida.com), or by telephone at 850.245.6333 or 800.847.7278.

Sincerely

A handwritten signature in black ink, appearing to read "Robert F. Bendus". The signature is fluid and cursive, with a large loop at the end.

Robert F. Bendus, Director  
Division of Historical Resources  
& State Historic Preservation Officer

PC: Ms. Friederike H. Mittner, City Preservation Planner, West Palm Beach  
Mr. John Winkle, Federal Railroad Administration, Washington, D.C.



U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue SE  
Washington DC 20590

MAY 20 2015

Mr. Robert F. Bendus, Director  
State Historic Preservation Officer  
Division of Historical Resources  
Florida Department of State  
500 South Bronough Street  
Tallahassee, FL 32399

Re: All Aboard Florida Passenger Rail Project - Addendum to the Cultural Resources Assessment, All Aboard Florida Passenger Rail Project from Orlando to West Palm Beach (Orange, Brevard, Indian River, St. Lucie, Martin and Palm Beach Counties)

Dear Mr. Bendus:

The Federal Railroad Administration (FRA) is requesting that the Division of Historical Resources (SHPO) concur with the findings in the May, 2015 *Addendum to the Cultural Resources Assessment, All Aboard Florida Passenger Rail Project from Orlando to West Palm Beach (Orange, Brevard, Indian River, St. Lucie, Martin and Palm Beach Counties)* (Addendum). Specifically, the Addendum provides information confirming that the following historic properties and sites are eligible for the National Register of Historic Places, and are within the Area of Potential Effect for the All Aboard Florida Passenger Rail Project:

- St. Lucie Village Historic District (8SL76)
- 7901 South Indian River Drive (8SL227)
- 5703 South Indian River Drive (8SL231)
- Vero Man/Vero Site (8SL1/8SL9)
- Fort Pierce (8SL31)

Janus Research provided the Addendum to SHPO on May 14, 2015. FRA seeks the concurrence of your office with the findings pursuant to 36 CFR 800.5 (c)(1). Please respond within thirty days of your receipt of this letter. FRA may consider your lack of response as concurrence with the above finding, as provided in 36 CFR 800.5(c)(1). In the event your office disagrees with this finding, please notify us via email and overnight or private delivery service to ensure timely receipt of your communication.

If you have any questions or wish to discuss this project further, please contact John Winkle of my staff at [john.winkle@dot.gov](mailto:john.winkle@dot.gov) or by telephone at 202-493-6067.

Sincerely,

David Valenstein  
Chief, Environment and Planning Division

Cc: Ginny Jones, DHR  
Christopher Bonanti, AAF  
Lisa A. Standley, VHB



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

David Valenstein  
US Department of Transportation  
Federal Railroad Administration (FRA)  
1200 New Jersey Avenue SE  
Washington, D.C. 20590

May 21, 2015

Attn: John Winkle

RE: DHR Project File No.: 2015-2425/Received by DHR: May 20, 2015  
*All Aboard Florida Passenger Rail Project – Addendum to the Cultural Resources Assessment Report*

Dear Mr. Valenstein:

Thank you for providing the Addendum to the Cultural Resources Assessment Report (CRAR) to the Florida State Historic Preservation Officer for review and comment. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

The addendum to the CRAR provides information on the properties referenced in your letter, and recommends a finding of eligible for the National Register of Historic Places. The Florida Master File (FMSF) contains the following eligibility status for these properties:

8SL76:	Listed on the National Register	8IR1:	Eligible for the National Register
8SL227:	Eligible for the National Register	8SL31:	Not Evaluated by SHPO
8SL231:	Eligible for the National Register		

Based on the information provided in the CRAR addendum and FMSF, our office concurs with FRA's finding.

If you have any questions, please contact Ginny Jones, Transportation Compliance & Review Architectural Historian, by email at [Ginny.Jones@DOS.MyFlorida.com](mailto:Ginny.Jones@DOS.MyFlorida.com), or by telephone at 850.245.6333 or 800.847.7278. You may also address correspondence and questions to Dr. Timothy Parsons, Deputy State Historic Preservation Officer, at the same telephone number or by email at [Timothy.Parsons@DOS.MyFlorida.com](mailto:Timothy.Parsons@DOS.MyFlorida.com)

Sincerely

Robert F. Bendus, Director  
Division of Historical Resources  
& State Historic Preservation Officer



Division of Historical Resources  
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6300 • 850.245.6436 (Fax) [flheritage.com](http://flheritage.com)  
*Promoting Florida's History and Culture* [VivaFlorida.org](http://VivaFlorida.org)





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

David Valenstein  
Attn: John Winkle  
US Department of Transportation  
Federal Railroad Administration (FRA)  
1200 New Jersey Avenue SE  
Washington, D.C. 20590

July 24, 2015

RE: DHR Project File No.: 2015-3404/Received by DHR: July 15, 2015  
*All Aboard Florida (AAF) Passenger Rail Project – Determination of Effects (DOE)*

Mr. Valenstein:

Thank you for providing the Florida State Historic Preservation Officer (SHPO) with the opportunity to comment on the All Aboard Florida Passenger Rail Project Determination of Effects Report. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, and its implementing regulations in *36 CFR 800: Protection of Historic Properties*.

The submission of this determination document demonstrates that the Federal Railroad Administration (FRA) as the lead federal agency, with assistance from All Aboard Florida (AAF), has applied the criteria of adverse effect to the proposed undertaking, as required by *36 CFR 800.5(a)*. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register of Historic Places (*36 CFR 800.5(a)(1)*). Pursuant to these regulations, the document under review provides FRA's finding of effects for the properties eligible for listing, or listed on, the National Register, as determined by FRA in the 2013 Cultural Resource Assessment Report (CRAR) and 2015 CRAR Addendum.

Based on the definition and description of "adverse effect" provided by *36 CFR 800.5(a)(1)*, the Florida SHPO concurs with FRA's determination that the proposed undertaking will have an adverse effect on the following two historic properties:

- Eau Gallie River Bridge (8BR3058)
- St. Sebastian River Bridge (8BR3062/8IR1569)

Furthermore, our office concurs with FRA's finding of *no adverse effect* to the historic Florida East Coast Railway Corridor (FECR), as well as the eight bridges, 63 historic structures, three historic districts, and six archaeological sites within the proposed undertaking's area of potential effects (APE). This concurrence is subject to the following conditions, as noted in the report:

Division of Historical Resources  
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6300 • 850.245.6436 (Fax) [flheritage.com](http://flheritage.com)  
*Promoting Florida's History and Culture* VivaFlorida.org





## **Permanent Effects**

### *Historic Bridges/Historic FECR Corridor*

- Section 3.2.3.2: The design of replacement bridges in the FECR Historic District will include SHPO consultation

### *Historic Properties*

- Section 4.2.1: Noise impacts will be minimized through the use of pole-mounted/wayside horns and improved rail infrastructure
- Section 4.2.3: The design of future crossing improvements within the boundaries of historic districts or in proximity of historic properties will include SHPO consultation
- Section 3.2.4: AAF will continue consultation with the SHPO and locally affected parties, including the Cities of West Palm Beach, Fort Lauderdale, and Miami, during the station design process
- Section 3.2.2: The parcel along the east-west corridor that was inaccessible during the 2013 CRAR investigations will be surveyed for historic properties, when access is granted

### *Archaeological Sites*

- Section 3.2.3.3: Avoid effects to Hobe Sound National Wildlife Refuge #3 through the elimination of a curve modification

## **Temporary Construction Related Effects**

### *Historic Properties*

- Section 5.1.1: AAF will utilize appropriate best management practices to reduce construction related noise effects

### *Archaeological Sites*

- Section 3.2.3.3: AAF will develop an archaeological monitoring plan and monitor construction related/ground disturbing activities at all six archaeological sites identified within the APE
- Section 5.1.2: AAF commits to using alternative construction methods, such as vibratory or sonic pile driving, to minimize any potential vibration effects at the Vero Man Site (8IR1/8IR9)
- Section 5.1.3: AAF commits to conducting assessment surveys in the event that staging, borrow, or excess material placement areas are not located within the APE for direct impacts. This need is unpredictable at this time due to undetermined factors such as final design, staging needs, access issues, etc.

Along with the effects document, FRA included a Draft Memorandum of Agreement (MOA) addressing the resolution of adverse effects to historic properties, as identified above. The MOA outlines commitments and mitigation steps to be taken by AAF, including:

- Appropriate design and construction of replacement bridges over the Eau Gallie and St. Sebastian Rivers
- Documentation of the existing Eau Gallie and St. Sebastian River Bridges
- Future SHPO consultation related to construction on bridges that contribute significance to the FECR Historic District
- Future SHPO consultation during the design and construction phases of replacements and upgrades to crossing gates at at-grade crossings within historic districts abutting the FECR Historic District

Mr. David Valenstein  
DHR No. 2015-3404  
July 24, 2015  
Page 3

- Development of a website that will highlight the contributions of Henry Morrison Flagler and the history of the FECR
- Future cultural resource assessment surveys as required by project needs unforeseeable at this stage
- The implementation of an archaeological monitoring plan at archaeological sites within the APE for direct effects during ground disturbing/construction activities

In summary, the Florida SHPO concurs with FRA's determinations of effect as presented in the submitted document. We look forward to further coordination with FRA regarding the resolution of the adverse effects noted in this letter, and to consulting on the draft MOA as required by *36 CFR 800.6*.

Our office has been contacted by the Advisory Council on Historic Preservation, and it is our understanding that the Council plans to participate as a signatory on the MOA as described in *36 CFR 800.6(b)(2)*. With that in mind, we recommend sharing the determination document and these comments with consulting parties and stakeholders to inform them of the status of the project, and to keep them abreast of FRA's efforts to fulfill its obligations under Section 106 and *36 CFR 800: Protection of Historic Properties*.

If you have any questions, please contact Ginny Jones, Transportation Compliance & Review Architectural Historian, by email at [Ginny.Jones@DOS.MyFlorida.com](mailto:Ginny.Jones@DOS.MyFlorida.com), or by telephone at 850.245.6333 or 800.847.7278. You may also address correspondence and questions to Dr. Timothy Parsons, Deputy State Historic Preservation Officer, at the same telephone number or by email at [Timothy.Parsons@DOS.MyFlorida.com](mailto:Timothy.Parsons@DOS.MyFlorida.com)

Sincerely,



Robert F. Bendus, Director  
Division of Historical Resources  
& State Historic Preservation Officer